

Form 213

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

Kim M. Shields  
Debtor(s)

Bankruptcy Case No.: 17-21251-TPA  
Related to Docket No. 190  
Chapter: 13  
Docket No.: 191 – 190  
Concil. Conf.: 1/4/23 at 11:00 AM

**ORDER**

**WHEREAS**, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

**IT IS HEREBY ORDERED** that, on or before **November 14, 2022**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit or Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

**OR**

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

**IT IS FURTHER ORDERED** that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **December 5, 2022**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.


On **1/4/23** at **11:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at remotely by the Trustee via Zoom, how to participate: goto [www.ch13pitt.com](http://www.ch13pitt.com), [meetings@chapter13trusteedpa.com](mailto:meetings@chapter13trusteedpa.com).

If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: September 27, 2022

cm: All Creditors and Parties In Interest

  
Thomas P. Agresti, Judge  
United States Bankruptcy Court

**INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT**

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee  
P.O. Box 84051  
Chicago, IL 60689-4002

In re:  
Kim M. Shields  
Debtor

Case No. 17-21251-TPA  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Sep 27, 2022

User: auto  
Form ID: 213

Page 1 of 3  
Total Noticed: 15

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 29, 2022:

Recip ID	Recipient Name and Address
db	+ Kim M. Shields, 1212 Harrow Hill Court, Coraopolis, PA 15108-9018
14392216	+ James P. Shields, 1212 Harrow Hill Court, Coraopolis, PA 15108-9018
14392218	Wells Fargo bank, c/o Martha Von Rosentiel, Esquire, 649 South Avenue, Suite 7, Chester, PA 19016
14866742	Wilmington Trust, National Association, Fay Servicing, LLC, PO Box 814609,, Dallas, TX 75381-4609

TOTAL: 4

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	Email/PDF: resurgentbknotifications@resurgent.com	Sep 27 2022 23:35:01	LVNV Funding LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
cr	Email/PDF: resurgentbknotifications@resurgent.com	Sep 27 2022 23:35:01	Pinnacle Credit Services, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
cr	+ Email/Text: ECF@fayservicing.com	Sep 27 2022 23:31:00	Wilmington Trust, National Association, not in its, c/o Fay Servicing, LLC, 3000 Kellway Dr. Ste 150, Carrollton, TX 75006-3357
14392215	+ Email/Text: sbse.cio.bnc.mail@irs.gov	Sep 27 2022 23:31:00	Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-7346
14661699	Email/PDF: resurgentbknotifications@resurgent.com	Sep 27 2022 23:35:00	LVNV Funding, LLC its successors and assigns as, assignee of General Electric Capital, Corporation, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14661700	Email/PDF: resurgentbknotifications@resurgent.com	Sep 27 2022 23:35:10	LVNV Funding, LLC its successors and assigns as, assignee of GE Money Bank, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14393417	+ Email/PDF: rmscedi@recoverycorp.com	Sep 27 2022 23:35:05	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14398703	Email/Text: RVSVCBICNOTICE1@state.pa.us	Sep 27 2022 23:31:00	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg PA 17128-0946
14638806	Email/PDF: resurgentbknotifications@resurgent.com	Sep 27 2022 23:35:10	Pinnacle Credit Services, LLC C/O Resurgent Capita, P.O. Box 10675, Greenville, SC 29603-0675
14641064	+ Email/PDF: ebn_ais@aisinfo.com	Sep 27 2022 23:35:10	Verizon, by American InfoSource LP as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
14411423	+ Email/PDF: Bankruptcynoticeshomelending@wellsfargo.com	Sep 27 2022 23:45:24	Wells Fargo Bank, N.A., Default Document Processing, N9286-01Y, 1000 Blue Gentian Road, Eagan MN 55121-1663

TOTAL: 11

District/off: 0315-2  
Date Rcvd: Sep 27, 2022

User: auto  
Form ID: 213

Page 2 of 3  
Total Noticed: 15

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Fay Servicing as servicer for Wilmington Trust, Na
cr		WELLS FARGO BANK, N.A.
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 2 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 29, 2022

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 27, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Wilmington Trust National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2016-1 bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Fay Servicing as servicer for Wilmington Trust National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2016-1 bnicholas@kmlawgroup.com
David Z. Valencik	on behalf of Debtor Kim M. Shields dvalencik@c-vlaw.com kmosur@c-vlaw.com;ssimmons@c-vlaw.com;jadam@c-vlaw.com;apratt@c-vlaw.com;mpeduto@c-vlaw.com;mlocke@c-vlaw.com
Donald R. Calaiaro	on behalf of Debtor Kim M. Shields dcalaiaro@c-vlaw.com kmosur@c-vlaw.com;ssimmons@c-vlaw.com;jadam@c-vlaw.com;apratt@c-vlaw.com;mpeduto@c-vlaw.com;mlocke@c-vlaw.com;eballa@c-vlaw.com
Jill Manuel-Coughlin	on behalf of Creditor WELLS FARGO BANK N.A. bankruptcy@powerskirn.com
Kaitlin Shire	on behalf of Creditor Wilmington Trust National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2016-1 kshire@hillwallack.com, lharkins@ecf.courtdrive.com;hwbknj@hillwallack.com;aemberger@ecf.courtdrive.com
Mark B. Peduto	on behalf of Debtor Kim M. Shields mpeduto@c-vlaw.com jadam@c-vlaw.com;ssimmons@c-vlaw.com;kmosur@c-vlaw.com;apratt@c-vlaw.com
Michael J Shavel	on behalf of Creditor Wilmington Trust National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2016-1 mshavel@hillwallack.com, ldejesus@hillwallack.com;lharkins@ecf.courtdrive.com;mshavel@ecf.courtdrive.com;aemberger@ecf.courtdrive.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

District/off: 0315-2

User: auto

Page 3 of 3

Date Rcvd: Sep 27, 2022

Form ID: 213

Total Noticed: 15

Stephen Russell Franks

on behalf of Creditor Wilmington Trust National Association, not in its individual capacity, but solely as trustee for MFRA Trust  
2016-1 amps@manleydeas.com

TOTAL: 11